I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envel addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 on <u>December 19, 2003</u>

P&G Case CM2517M2C

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of

Henry Drummond Boswell et al. Confirmation No. Serial No. 10/667,878 Group Art Unit

Filed September 22, 2003 Examiner

For Oxidative Treatment of Hair with Reduced Hair Damage

### **SUPPLEMENTAL**

## INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents P. O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. §§ 1.56, 1.97 and 1.98, record is being made on the attached Form PTO/SB08 of documents which the Patent Office may wish to consider in connection with examination of the above-identified patent application. It is respectfully requested that the cited documents be carefully considered by the Examiner and made of record in this case. As provided in §1.97(g), no representation is made or intended that a thorough art search was made. As provided in 37 C.F.R. §1.97(h), this Information Disclosure Statement does not constitute an admission of any kind, and specifically is not an admission that the documents listed on attached form PTO/SB08 are, or are considered to be, material to the patentability of the above-identified patent application, as defined in 37 C.F.R. §1.56(b).

[X] 37 C.F.R. §1.97(b)(1) - U.S. Direct (use when filing IDS with nonprovisional 1. patent application, or with Request for Continued Examination (RCE); or within 3 months of filing a nonprovisional patent application)

This information disclosure statement, submitted under 37 C.F.R. §1.97(b)(1), is being filed with the patent application, with a Request for Continued Examination or within three months of the filing date of a national application. Therefore, no fee is believed to be due.

# ADDITIONAL ITEMS TO BE NOTED BY THE EXAMINER:

| [] (1) (For use with applications filed prior to or on June 30, 2003.) Copies of the   |
|--|
| cited documents are enclosed.  |
| OR   |
| [X] (2) (For use with applications filed after June 30, 2003.) In accordance with 37   |
| C.F.R. §1.98(a)(2), Applicants are submitting copies of foreign patent documents and non-  |
| patent literature.   |
| OR   |
| (3) All of the cited references were previously cited by or submitted to the USPTO in  |
| prior application Case No, U.S. Patent Application Serial No, filed Applicants claim priority to said application under 35 U.S.C. §120. Accordingly, copies of previously submitted references are not provided with this Statement, pursuant to 37 C.F.R. §1.98(d). It is   |
| espectfully requested that the cited documents be carefully considered by the Examiner and   |
| nade of record in this case.   |
| OR   |
| (4) Copies of all said documents, except Cite Numbers, were submitted and considered in parent application U.S. Patent Application Serial No, filed  |
| Applicant(s) claim priority to said application under 35 U.S.C. §120. Accordingly, copies of previously submitted references are not provided with this Statement, pursuant to 37 C.F.R. §1.98(d). Copies of references not previously submitted are enclosed. It is respectfully equested that the cited documents be carefully considered by the Examiner and made of recording this case. |
| [] (5) Pursuant to 37 C.F.R. §1.98(c), a concise explanation of the relevance of each cited eference that is not in the English language is provided.  |
| Applicants also respectfully request the Examiner to consider and make of record he co-pending applications listed on the attached page.   |
| Additional information is attached.  |
| Respectfully submitted,  |
| By M. Dressman Marianne Dressman Attorney for Applicant(s)   |
|  |

Date: December 19, 2003 Customer No. 27752 (IDS.doc) (Last Revised 10/10/03) Marianne Dressman Attorney for Applicant(s) Registration No. 42,498 (513)626-0673 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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| Substitute for form 1449A/PTO            | COMPLETE IF KNOWN      |            |  |
|--|------------------------|------------|--|
| SUPPLEMENTAL                             | Application Number     | 10/667,878 |  |
| INFORMATION DISCLOSURE                   | Confirmation Number    |            |  |
| STATEMENT BY APPLICANT                   | Filing Date            | 09/22/2003 |  |
| (use as many sheets as as escessary)     | First Named Inventor   |            |  |
| (O ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ | Group Art Unit         |            |  |
| HEET 1 of 1                              | Examiner Name          |            |  |
| HEET lofi \ NEL 5                        | Attorney Docket Number | CM2517M2C  |  |

### **U. S. PATENT DOCUMENTS**

| EXAMINER<br>INITIALS* | Cite<br>No.1 | DOCUMENT NUMBER  Number - Kind Code <sup>2</sup> (if known) | Publication Date<br>MM-DD-YYYY | Name of Patentee or Applicant of<br>Cited Document | Pages, Columns, Lines Where<br>Relevant Passages or Relevant<br>Figures Appear |
|-----------------------|--------------|---|--------------------------------|--|--|
|                       | 1            | US-3542918  | 11-24-1970                     | BERTH, PETER                                       |  |
|                       | 2            | US-4138478  | 02-06-1979                     | REESE, GUNTER                                      |  |
|                       | 3            | US-5009813  | 04-23-1991                     | WANTANABE, TAICHI                                  |  |
| -                     |              | US-   |                                |  |  |
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|                       |              | US-   |                                |  |  |
|                       | 1            | US-   |                                |  |  |

## **FOREIGN PATENT DOCUMENTS**

| EXAMINER<br>INITIALS* | Cite<br>No.1 | FOREIGN PATENT DO  Country Code <sup>3</sup> Number <sup>4</sup> | CUMENT  Kind Code <sup>5</sup> (if known) | Publication Date<br>MM-DD-YYYY | Name of Patentee or Applicant of<br>Cited Document | Pages, Columns, Lines<br>Where Relevant Passages<br>or Relevant Figures<br>Appear | T <sup>6</sup> |
|-----------------------|--------------|--|---|--------------------------------|--|---|----------------|
|                       | 1            | DE-4404177 A1  |   | 08-17-1995                     | HENKEL KGAA  |   |                |
|                       | 2            | WO-94/16672 A1   |   | 08-04-1994                     | CCP, INC.  |   |                |
|                       | 3            | WO-98/27944 A1   | •   | 07-02-1998                     | PROCTER & GAMBLE CO.                               |   |                |
|                       | 4            | WO-02/074273 A1  |   | 09-26-2002                     | PROCTER & GAMBLE CO.                               |   |                |
| •                     | 5            | WO-02/078661 A2  |   | 10-10-2002                     | PROCTER & GAMBLE CO.                               |   |                |
|                       | 6            | WO-02/089754 A1  |   | 11-14-2002                     | PROCTER & GAMBLE CO.                               |   |                |
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|                       |              |  |   |                                |  |   |                |
| EXAMINE               | }            |  |   |                                | DATE CONSIDERED                                    |   |                |

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kind Codes of U.S. Patent Documents at <a href="www.uspto.gov">www.uspto.gov</a> or MPEP 901.04. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 37 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. B x 1450, Alexandria, VA 22313-1450.